

**CHAPTER NO. 448**

**SENATE BILL NO. 796**

**By Cohen**

Substituted for: House Bill No. 1371

By Chumney

AN ACT To amend Tennessee Code Annotated, Section 12-2-112, relative to disposal of certain real property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 12-2-112(a), is amended by adding the following language as a new, appropriately designated subdivision:

( ) (A) Notwithstanding subdivision (9) or any other provision of law to the contrary, when and if the state transfers to the local government in which any tract or combination of tracts of property which are contiguous to one another and exceed twenty (20) acres in size and which were acquired by the Department of Transportation as part of an uncompleted and cancelled interstate and defense highway right-of-way in a county with a population in excess of eight hundred thousand (800,000) according to the 1990 federal census or any subsequent federal census, is located, such transfer shall be subject to final approval by the State Building Commission and shall only be used for redevelopment pursuant to subitem (B) of this subdivision.

(B) Any property transferred pursuant to subitem (A) of this subdivision shall be subject to the following restrictions:

(i) Development by the local government of a flowering-tree landscaped parkway-type roadway in accordance with the provisions of Title 54, Chapter 17, Part 1.

(ii) Development of the remaining property, with priority given to (a), for:

(a) housing, provided that some of the land is used for development of affordable housing with the needs of the community for such affordable housing properly addressed in such use;

(b) school land;

(c) park land;

(d) public spaces; and

(e) associated mixed-use neighborhood uses.

(iii) The roadway involved herein from the end of Sam Cooper Boulevard to East Parkway and all the land involved herein shall conform to the limitations regulating Scenic

Highways as in Tennessee Code Annotated, Section 54-17-109, except for subdivision (11) thereof.

SECTION 2. This act shall become operative only if the federal highway administrator advises the Commissioner of Transportation in writing that the provisions of this act shall not render Tennessee in violation of federal laws and regulations and subject to penalties prescribed therein.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 28, 1999**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 17th day of June 1999**

  
DON SUNDQUIST, GOVERNOR